



Entered on Docket
October 14, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,¹

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,²

USA SECURITIES, LLC,³
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**ORDER ALLOWING BINFORD CLAIM
IN PART FOR \$1.425 MILLION AND
DISALLOWING THE REMAINDER**

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1 **IT IS HEREBY ORDERED:** approving the Stipulation [DE 7590] by and between
2 USACM Liquidating Trust and Binford Medical Developers LLC (“Binford”) as follows:

- 3 • Proof of Claim No. 10725-00748 filed by Binford is allowed in part in the
4 amount of \$1.425 million. The remainder of that claim is disallowed in full.
5 • The trial for the Trust’s objection to the Binford Claim set to begin on January
6 8, 2010 is vacated. All other items on the Court’s Calendar related to the
7 Trust’s objection to the Binford Claim are vacated.

8
9 PREPARED AND SUBMITTED:

10 **LEWIS AND ROCA LLP**

11 By: /s/ John Hinderaker (#018024)
12 Rob Charles
13 John Hinderaker *pro hac vice*
14 *Attorneys for USACM Liquidating Trust*

14 Approved/Disapproved:

15 **DEANER, DEANER, SCANN, MALAN & LARSEN**

16
17 By: /s/ Susan Williams Scann
18 Susan Williams Scann (NV 000776)
19 *Attorneys for Binford Medical Developers,*
20
21
22
23
24
25
26